

ORIGINAL

In the United States Court of Federal Claims

No. 16-205C

(Filed: August 26, 2016)

THOMAS HEATON SPITTERS,

Plaintiff,

v.


THE UNITED STATES,

Defendant.

FILED
AUG 26 2016
**U.S. COURT OF
FEDERAL CLAIMS**

ORDER

Plaintiff's complaint refers to a civil case in the Northern District of California in which he was the plaintiff. Although it is difficult to tell, he is apparently unhappy with the outcome of that litigation. The complaint asks us to review that case and to investigate the malfeasance of unnamed parties. Defendant has moved to dismiss for lack of jurisdiction and failure to state a claim upon which relief can be granted. Defendant's motion confirms that the United States was not a party to the case in California nor were any individuals agents of the United States named as defendants. Nothing in the complaint filed here indicates any cause of action against the United States. Thus, per defendant, jurisdiction cannot be present in this court because our jurisdiction is limited to suits against the United States. *See* 28 U.S.C. § 1491(a)(1) (2012). Plaintiff's two responsive submissions, filed by leave of the court, do not address this fundamental problem. Instead, they make clear that the actions plaintiff complains of concern his relatives and not the United States. Accordingly, we grant defendant's motion to dismiss for lack of jurisdiction and direct the clerk to enter judgment accordingly. We note also that the filing fee is unpaid and no proper motion for waiver of that fee has been filed.


ERIC G. BRUGGINK
Senior Judge